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APPLICATION NUMBER: 60/497,335

FILING DATE: August 25, 2003

PRIORITY DOCUMENT

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This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

Express Mail Label No.

22388 U.S. PTO
60/497335
08/25/03

INVENTOR(S)					
Given Name (first and middle (if any))	Family Name or Surname	Residence (City and either State or Foreign Country)			
Wayne	Kirby	Brampton, Canada			
Additional inventors are being named on the _____ separately numbered sheets attached hereto					
TITLE OF THE INVENTION (500 characters max)					
COMBINATION PERSONAL CARE PRODUCTS AND AIR FRESHENERS					
Direct all correspondence to: CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number: 					
OR					
<input checked="" type="checkbox"/> Firm or Individual Name: RIDOUT & MAYBEE LLP					
Address: One Queen Street East					
Address: Suite 2400					
City: Toronto		State: Ontario		Zip: M5C 3B1	
Country: Canada		Telephone: 416-868-1482		Fax: 416-362-0823	
ENCLOSED APPLICATION PARTS (check all that apply)					
<input checked="" type="checkbox"/> Specification Number of Pages <u>14</u>					
<input checked="" type="checkbox"/> Drawing(s) Number of Sheets <u>3</u>					
<input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76					
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<input checked="" type="checkbox"/> Other (specify) <u>Abstract</u>					
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
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<input checked="" type="checkbox"/> The Director is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number: <u>13-2400</u>					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
FILING FEE Amount (\$) \$80.00					
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
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[Page 1 of 2]

Respectfully submitted,

SIGNATURE _____

TYPED or PRINTED NAME David J. Heller

TELEPHONE 416-868-1482

Date August 21, 2003

REGISTRATION NO. 43,384

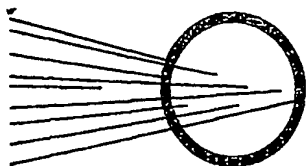
(if appropriate)

Docket Number: 38716-0008

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August 21, 2003

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Dear Sirs:

Re: New U.S. Provisional Patent Application
Title: COMBINATION PERSONAL CARE PRODUCTS
AND AIR FRESHENERS
Inventor: Wayne Kirby
Our File: 38716-0008

Enclosed herewith is a provisional patent application for filing in the name of Wayne Kirby.

We enclose the following documents:

Provisional Application for Patent Cover Sheet
Specification - 14 Pages
Abstract - 1 Page
Drawings - 3 Pages (Figures 1-3)
Fee - \$80.00 (by deposit account)

Please deduct the requisite fee in the amount of \$80.00 from our Deposit Account No. 13-2400. If any further fee is due, please also deduct it from our Deposit Account.

Yours very truly,

WAYNE KIRBY

By:


David J. Heller, Reg. No. 43,384

Encls.

One Queen St. East
Suite 2400, Toronto
Canada, M5C 3B1

Telephone 416.868.1482
Facsimile 416.362.0823
Email ridbee@ridoutmaybee.com

Also in Ottawa and
Mississauga

COMBINATION PERSONAL CARE PRODUCTS AND AIR FRESHENERS

FIELD OF THE INVENTION

[0001] This invention relates to personal care products and their containers and air fragrances.

BACKGROUND OF THE INVENTION

[0002] US patent no. 5,799,826 to Brown teaches and claims an assembly having a first chamber containing soap and a second chamber containing air fragrance. There are at least two openings in the second chamber to allow the air fragrance to dispense through evaporation. The assembly is for mounting on a wall.

[0003] Many patents, including US patent nos. 5,065,875, 5,316,398, 5,135,116, 3,225,951, 4,235,343, 251,566, and 4,805,798 teach containers having an insert area for nesting a second container. However none of these patents teach or suggest inserting an air freshener into the insert area.

[0004] US patent nos. 2,204,784, and 544,219 teach containers having two separate chambers. However none of these patents teach or suggest inserting an air fragrance into one of the chambers.

[0005] US patent no. 5,350,058 teaches a container having two chambers. The bottom chamber has openings therein. However, there is no teaching or suggestion of using the container to hold either body care products or air fragrance.

[0006] UK patent application no. 2,230,957 teaches a combination air fragrance and decorative figure.

[0007] US patent no. 5,853,672 teaches a combination air fragrance and fan with an ornament and lights.

[0008] US patent no. 5,351,851 to Powell teaches a container having an insert area to receive an article therein, and a film covering the insert area and inserted article for

retaining the article in the indentation. Powell specifically claims that the film is clear over the indentation.

[0009]US patent no. 5,165,603 to Hahn teaches a fragrance-emitting skin-care product container that features a reservoir well arranged around the threads on a container mouth. The reservoir well contains a fragrance reservoir. A seal upon the lid of the container seals the reservoir well when the container is closed, thereby preventing contamination of the container contents by the fragrance and allowing for the release of fragrance when the container is opened.

[0010]PCT patent application publication no. WO02/20172 and US Patent Nos. 5,595,324 and 5,799,826 to Brown et al. describe a combination air freshener and hand lotion dispenser. The air freshener consists of a fragrance impregnated substance disposed within the dispenser mechanism. The dispenser mechanism includes a manual pump.

SUMMARY OF THE INVENTION

[0011]In one aspect, the present invention provides a portable container having a chamber for holding a body care product selected from the group consisting of tissues, deodorants, baby wipes, baby creams and petroleum jelly. and second chamber for holding a room fragrance or room deodorizer. The first chamber has a means for dispensing the body care product. The second chamber has at least one opening. Normal movement of the container during dispensing of the body care product facilitates the release of fragrance into the surrounding air.

[0012]Thus, in one aspect the present invention teaches, in combination, a body care product bottle and an air fragrance, comprising a portable bottle having a first wall forming a first chamber for body care products, and a second chamber for air fragrance, the second chamber having at least one opening for release of the air fragrance. The air fragrance may be detachable from the second chamber.

[0013] The air fragrance may be contained in a container having at least one opening and the first wall is configured to receive the container. The first wall and the container may be configured to form an interference fit between the first chamber and the container or air fragrance. The first wall and the container or air fragrance may be configured to form a releasable interference fit between the container of air fragrance.

[0014] The first wall may be configured to form an indentation for receiving the container or air fragrance. The first wall may be configured to form a releasable interference fit between a bottom of the first wall and a top of the container. The container bottom may be configured to maintain the combination upright on a flat surface.

[0015] In an embodiment, the container has a plurality of openings. In another embodiment, the first chamber has a removable lid.

[0016] In a further aspect, the invention further teaches a bottle comprising: a) a bottom and at least one upstanding side wall to receive a body care product therein; b) the side wall converging to provide a closeable top; and c) an indentation formed in the side wall and directed inwardly of the bottle and configured to receive an air fragrance or air fragrance container therein. The indentation and the air fragrance or air fragrance container may be configured to have an interference fit between the indentation and the air fragrance container. The indentation and the air fragrance or air fragrance container may be configured to have a releasable interference fit between the indentation and the air fragrance container.

[0017] The invention further teaches a bottle comprising: a) a bottom and at least one upstanding side wall to receive a body care product therein; b) the side wall converging to provide a closeable top; c) an air fragrance container having a top and a second bottom; and d) the air fragrance container is attached to the bottom. The air fragrance container and bottle may be configured to have an interference fit between the bottom and the air fragrance container.

[0018] The bottom and the air fragrance container may be configured to have a releasable interference fit between the bottom and the air fragrance container. The second bottom may be configured to maintain the combination upright on a flat surface. The air fragrance container may have a plurality of openings. The bottle may have a hand pump dispenser mechanism.

[0019] In one aspect, the present invention provides, in combination, a baby wipe container and an air fragrance, comprising a portable container having a first wall forming a first chamber for baby wipes, and a second chamber for air fragrance, the second chamber having at least one opening for release of the air fragrance.

[0020] In another aspect, the present invention provides, in combination, a deodorant container and an air fragrance, comprising a portable container having a first wall forming a first chamber for receiving a deodorant stick, and a second chamber for air fragrance, the second chamber having at least one opening for release of the air fragrance.

[0021] In yet another aspect, the present invention provides, in combination, a tissue box holder and an air fragrance, comprising a portable container having a first wall forming a first chamber for a tissue box, and a second chamber for air fragrance, the second chamber having at least one opening for release of the air fragrance.

[0022] Other aspects and features of the present invention will be understood by those of ordinary skill in the art from a review of the following detailed description read in conjunction with the accompanying figures.

BRIEF DESCRIPTION OF THE DRAWINGS

[0023] Reference will now be made, by way of example, to the accompanying drawings which show an embodiment of the present invention, and in which:

[0024] Figure 1 is an exploded side view of an embodiment of a product container and

air fragrance container according to the present invention;

[0025] Figure 2 is an exploded side view of a second embodiment of a product container and air fragrance container according to the present invention; and

[0026] Figure 3 is a side view of a third embodiment of a product container and air fragrance container according to the present invention.

[0027] Similar reference numerals are used in different figures to denote similar components.

DESCRIPTION OF SPECIFIC EMBODIMENTS

[0028] The present invention teaches a portable combination personal care product container and air fragrance. The present invention has the benefit of being portable. It also has the benefit of being simpler in design and construction, thus less expensive, than teachings of the prior art. In use, the present invention provides further benefits over the prior art, including the fact that the normal movement of the container during dispensing of the body care product will facilitate the release of fragrance into the surrounding air. The use of air fresheners combined with particular personal care products selected herein provides a synergy and benefits not taught, suggested, or realized by the prior art.

[0029] In one embodiment, a container of either cylindrical or rectangular or other geometric or sculptural configuration, of a plastic, formable material is provided. An indentation or depressed area is provided in a sidewall thereof. The area may be substantially flat or may be arranged at an angle to the sidewall, bottom, or top thereof, and similarly, the sides and top of such area may be at right angles to the sidewall of the container or may be angularly arranged thereto. This indented or depressed area may take a multitude of forms. In one embodiment, this area would not extend entirely across the container.

[0030] The present invention is applicable to any type of container suitable for the particular personal care products discussed herein and for the purposes and ease of illustration it has been illustrated on containers of various configurations. The concept could be applied to other articles such as the wide rim capped bowls, tubs, tubes, boxes, sticks, or other containers which are manufactured for various usages but which also are utilized for the initial sales of various personal care products. Therefore, the term container may appear within this application and is used as a generic definition rather than a limiting definition.

[0031] The fragrance area is configured to receive an air fragrance. The air fragrance may be a solid type air fragrance, or it may be a solid or liquid air fragrance inside a container. If a fragrance container is used, the air fragrance container must have at least one opening to allow dissemination of the air fragrance.

[0032] Figure 1 shows a side view of an embodiment of the present invention that includes a tub container 110 for holding a personal care product, which includes baby wipes. The tub container 110 is roughly rectangular in shape, having a substantially flat bottom surface 111 attached to at least one side wall 112 extending upwardly therefrom to define the open top mouth of the tub container 110. An associated dispensing lid 140 is adapted to snap fit over the open top mouth of the tub container 110 to seal the contents and provide for the dispensing of individual baby wipes through a dispensing mechanism (not shown) incorporated into the dispensing lid 140. The side wall 112 includes a slightly inset portion adjacent the bottom surface 111. The inset portion of the side wall 112 includes one or more outwardly extending protrusions 122.

[0033] An air freshener dispenser 120 is adapted to fit over the inset portion of the side wall 112 and snap-fit onto the bottom surface 111 through cooperation with the outwardly extending protrusions 122. The air freshener dispenser 120 includes an upstanding perimeter wall 126 at its top end extending around the top circumference of the air freshener dispenser 120 and having inner dimensions slightly larger than the dimensions of the inset portion of the side wall 112. The upstanding perimeter wall 126

may include indentations (not shown) on its inner surface into which the protrusions 122 are adapted to fit. It will be understood that other interference fit mechanisms may be employed to detachably affix the air freshener dispenser 120 to the tub container 110 other than the protrusions 122.

[0034] When attached to the tub container 110, the air freshener dispenser 120 serves as a supporting bottom surface for the tub container 110. The air freshener dispenser 120 may advantageously be detached and replaced as needed. The air freshener dispenser 120 includes a plurality of apertures 124 in its side walls so as to dispense the air fragrance it contains.

[0035] Shrink wrap or film typically covers the aperture 124 prior to opening by the customer. Advantageously, the present combination provides for passive release of air fragrance after opening by the consumer for mildly scenting a diaper changing area. During a diaper change, when the container is in use, it is jostled, thus emitting an increased quantity of scent at a time that it is particularly required.

[0036] Reference is now made to Figure 2, which shows a combination deodorant stick 210 and air freshener 220. The deodorant stick includes a dispensing container 212 having a mouth 213 and in which a solid deodorant product 216 is disposed. In known manner, the solid deodorant product 216 is formed around a screw mechanism (not shown) that is coupled to a dispensing wheel 214 for extending and retracting the solid deodorant product 216 relative to the mouth 213 of the dispensing container 212. In other embodiments, not shown, other deodorant dispensers could be used, for example, pushing the deodorant up with a finger, or a hydraulic or air pushing mechanism.

[0037] The deodorant stick 210 includes a cap 218 designed to friction fit onto the mouth 213 of the dispensing container 212 to seal the deodorant product 216. In other embodiments, the cap may be fit onto the mouth by means of threads, snaps, or dimples and bumps. The air freshener 220 is incorporated into the cap 218. The cap 218 includes at least one side wall 222 and an inner partition wall 226 (shown in

phantom) dividing the interior of the cap 218 into two cavities. The first inner cavity is open to the mouth of the cap 218 and accommodates the dispensing container 212 when the cap 218 is on. The second inner cavity is closed by the side wall 222 and inner partition wall 226 and contains the air freshener 220. A portion of the side wall 222 forming the second cavity includes a plurality of apertures 224 in communication with the interior of the cavity so as to provide for dispensing of the air fragrance from the air freshener 220.

[0038] Advantageously, the combination deodorant stick 210 and air freshener 220 provides for both an active dispensing of air fragrance when the deodorant stick 210 is jostled while in use and for a passive dispensing of air fragrance, since the apertures are typically not sealed while the deodorant stick 210 is not in use. This passive dispensing aspect provides particular advantages to the deodorant stick 210 when used by amateur or professional athletes or in connection with any exercise activities. The deodorant stick 210 may be placed within a gym bag, hockey bag, or other sports equipment bag or a locker in which a user may store a deodorant stick 210 and the air freshener will assist in disguising the odor associated with work-out or sports apparel. During use of the gym bag or the like, the container is jostled, thus inducing a greater amount of scent to be released at a time when the gym bag or the like is being opened and used.

[0039] Reference is now made to Figure 3, which shows a combination tissue box holder 310 and air freshener 320. The tissue box holder 310 includes a bottom surface 318 and at least one side wall 312 extending upwards from the bottom surface 318. The side wall 312 defines a mouth opening 314 at its upper end to allow for insertion of a typical cardboard tissue box containing a plurality of tissues 316. The tissue box holder 310 typically includes aesthetic design elements and is used to improve the appearance of conventional cardboard tissue boxes.

[0040] The air freshener 320 is incorporated into the tissue box holder 310. The side wall 312 includes a plurality of apertures 324 providing communication with the air

freshener 320 contained within the tissue box holder 310. Advantageously, the present combination provides for passive release of air fragrance after opening by the consumer for mildly scenting an area. During use of the tissue box, the tissue box holder 310 is jostled, thus inducing a greater amount of scent to be released at a time when the tissue box is in use.

[0041]With reference to any of the embodiments described above, it will be understood that many containers are formed through the blow molding process and such process would be applicable to the applicant's device in the form shown but the units could also be formed through injection molding techniques wherein individual sections of the bottle or container are molded and thereafter joined. The applicant has thus provided a new and unique container modification which provides the container with a dual compartment area wherein the compartments are separated and utilized for complimentary uses. With the applicant's invention free access is available for refills and replacements of either or both air fragrance and personal care product.

[0042]An aspect of the invention is the coordination of the volume of the supply of personal care product and the supply of air fragrance to ensure that the supply of air fragrance is sufficient to continue freshening the air the entire period the body care product is available in the container.

[0043]Another beneficial aspect of the present invention is that the fragrance is dispensed in greater amounts upon use of the container, rather than continuously or at regular intervals. This also increases the efficiency of the system by minimizing the quantity of fragrance needed. Another benefit associated with the dual personal care product and air fragrance dispenser described herein is the complete elimination of a separate fragrance dispenser. The personal body care product and air fragrance dispenser costs somewhere between the cost of a typical dispenser alone and the cost of a dispenser and a fragrance dispenser combined. In conjunction with the automatic fragrance replacement feature of the present dispenser, this cost savings is highly attractive.

[0044] The air fragrance may be in the form of a solid stick. The air fragrance in the container is generally described as an odorless carrier with a particular concentration of fragrance therein. Typical air fresheners of this composition utilize a concentration of fragrance of between 5-50%, and sometimes as low as 3%. Most brands of air freshener of this type are between 10-25% concentration of fragrance, however. In an embodiment, the air fragrance comprises 30% fragrance and 70% odorless mineral spirit carrier, such as manufactured under the trade name ISOPAR K™, manufactured by Exxon Corp. Although many types of fragrance are possible, one fragrance is a mild high lift fragrance manufactured by International Fragrances, Inc. of Houston, Tex., and may be fragrance No. FG 9798. When using liquid fragrances, to prevent the relatively volatile carrier in air fragrance from spilling from the container a polyester matrix may be provided therein, and the fragrance and carrier saturated within the matrix.

[0045] In another embodiment, the air fragrance may be an aerosol or pump spray. In another embodiment, the air fragrance may be a combination aerosol or pump spray with a static air fragrance, for example a stick or liquid form. Thus, in use, the static fragrance is released as described above, while the activated pump or aerosol is activated as more fragrance is desired. In other embodiments, the air fragrance portion could be located on the bottom, top or sides of the body care container. The air freshener can be attached by various means, including adhesives, shrink bands and shrink wraps.

[0046] The present invention may be embodied in other specific forms without departing from the spirit or essential characteristics thereof. Certain adaptations and modifications of the invention will be obvious to those skilled in the art. Therefore, the above discussed embodiments are considered to be illustrative and not restrictive, the scope of the invention being indicated by the appended claims rather than the foregoing description, and all changes which come within the meaning and range of equivalency of the claims are therefore intended to be embraced therein.

WHAT IS CLAIMED IS:

- 1. In combination, an air fragrance and a container for a baby care product, comprising a portable container having a first wall forming a first chamber for a baby care product selected from the group consisting of baby wipes, baby creams and petroleum jelly, baby wipes, and a second chamber for air fragrance, said second chamber having at least one opening for release of said air fragrance.**
- 2. The combination as claimed in claim 1, wherein said air fragrance is detachable from said second chamber.**
- 3. The combination as claimed in claim 2, wherein said air fragrance is contained in a container having at least one opening and said first wall is configured to receive said container.**
- 4. The combination as claimed in claim 3, wherein said first wall and said container are configured to form an interference fit between said first chamber and said container.**
- 5. The combination as claimed in claim 4, wherein said first wall and said container or air fragrance are configured to form a releasable interference fit between said container.**
- 6. The combination as claimed in any one of claims 3 to 5, wherein said first wall is configured to form an indentation for receiving said container.**
- 7. The combination as claimed in any one of claims 3 to 5, wherein said first wall is configured to form a releasable interference fit between a bottom of said first wall and a top of said container.**

8. The combination as claimed in claim 7, wherein said container has a container bottom configured to maintain said combination upright on a flat surface.
9. The combination as claimed in any one of claims 1 to 8, wherein said container has a plurality of said openings.
10. The combination as claimed in any one of claims 1 to 9, wherein said first chamber has a removable lid.
11. In combination, a deodorant container and an air fragrance, comprising a portable container having a first wall forming a first chamber for receiving a deodorant stick, and a second chamber for air fragrance, said second chamber having at least one opening for release of said air fragrance.
12. The combination as claimed in claim 11, wherein said air fragrance is detachable from said second chamber.
13. The combination as claimed in claim 12, wherein said air fragrance is contained in a container having at least one opening and said first wall is configured to receive said container.
14. The combination as claimed in claim 13, wherein said first wall and said container are configured to form an interference fit between said first chamber and said container.
15. The combination as claimed in claim 14, wherein said first wall and said container or air fragrance are configured to form a releasable interference fit between said container.

16. The combination as claimed in any one of claims 13 to 15, wherein said first wall is configured to form an indentation for receiving said container.
17. The combination as claimed in claim 11, wherein said container is a lid for capping a deodorant stick dispenser.
18. The combination as claimed in any one of claims 11 to 17, wherein said container has a plurality of said openings.
19. The combination as claimed in any one of claims 11 to 18, wherein said chamber has a removable lid.
20. In combination, a tissue box holder and an air fragrance, comprising a portable container having a first wall forming a first chamber for a tissue box, and a second chamber for air fragrance, said second chamber having at least one opening for release of said air fragrance.
21. The combination as claimed in claim 20, wherein said air fragrance is detachable from said second chamber.
22. The combination as claimed in claim 21, wherein said air fragrance is contained in a container having at least one opening and said first wall is configured to receive said container.
23. The combination as claimed in claim 22, wherein said first wall and said container are configured to form an interference fit between said first chamber and said container.

24. The combination as claimed in claim 23, wherein said first wall and said container or air fragrance are configured to form a releasable interference fit between said container.
25. The combination as claimed in any one of claims 22 to 24, wherein said first wall is configured to form an indentation for receiving said container.
26. The combination as claimed in any one of claims 22 to 24, wherein said first wall is configured to form a releasable interference fit between a bottom of said first wall and a top of said container.
27. The combination as claimed in claim 26, wherein said container has a container bottom configured to maintain said combination upright on a flat surface.
28. The combination as claimed in any one of claims 20 to 27, wherein said container has a plurality of said openings.
29. The combination as claimed in any one of claims 20 to 28, wherein said first chamber has a removable lid.

ABSTRACT

Personal care products with air fresheners incorporated, including a combination baby wipes product and air freshener, a combination deodorant stick and air fragrance, and a combination tissue box holder and air fragrance are taught.

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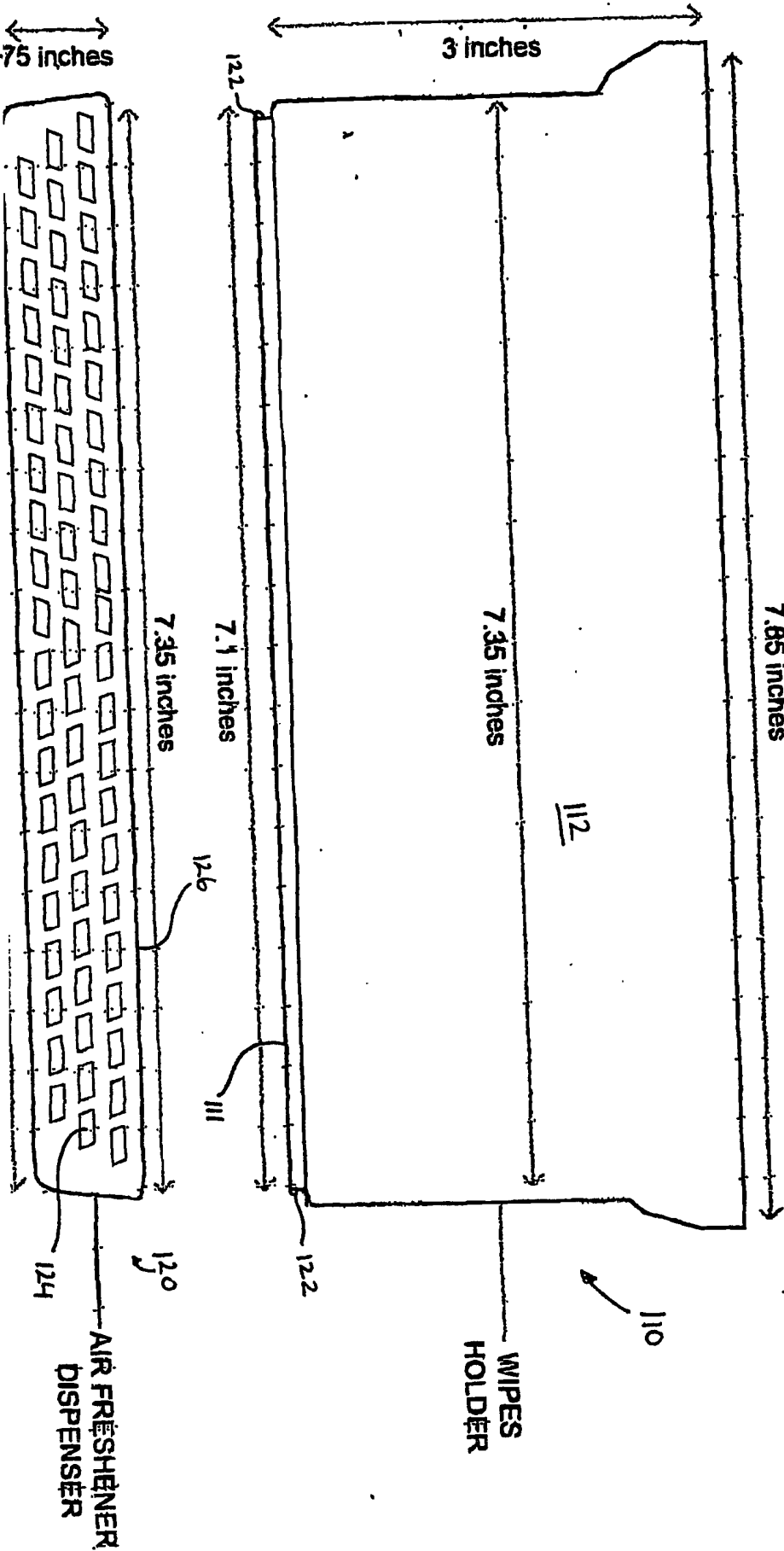
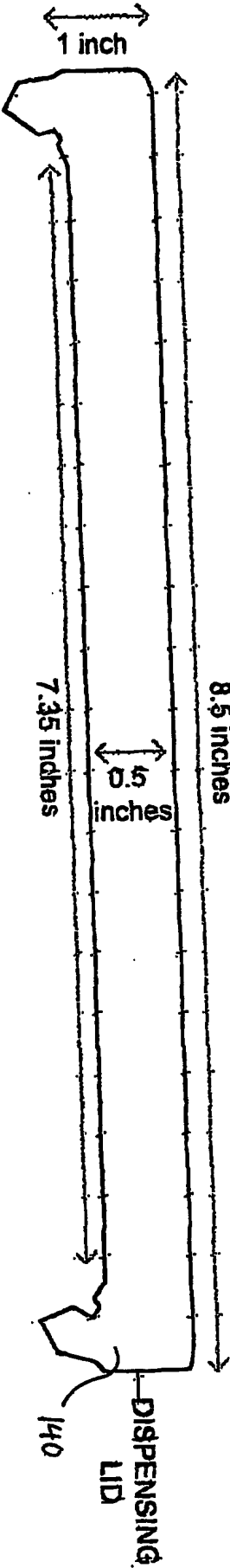


FIG. 1

DEODORANT WITH AIR FRESHENER (GYM BAG DEODORIZER)

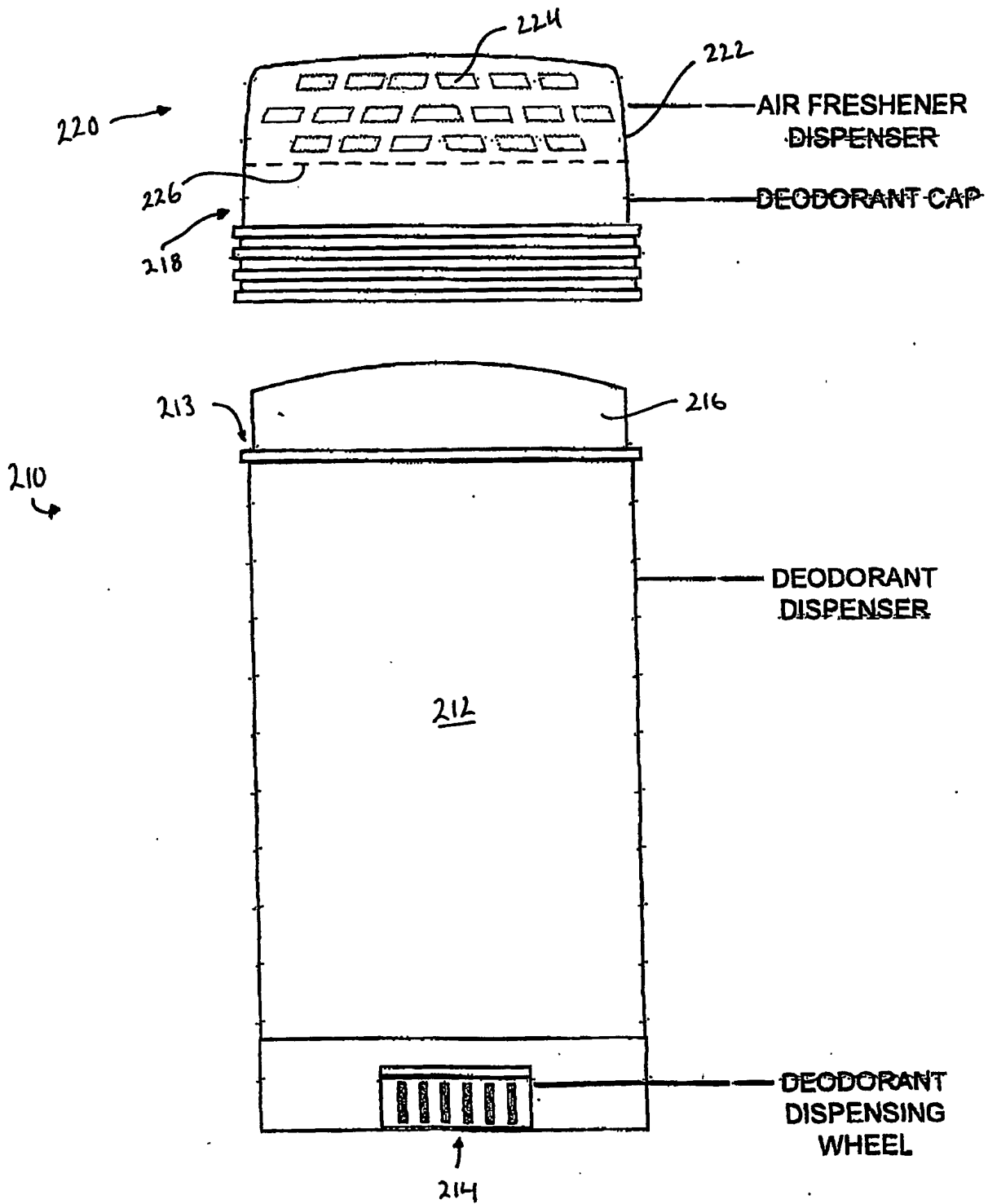


FIG. 2

TISSUE BOX WITH AIR FRESHENER (ROOM DEODORIZER)

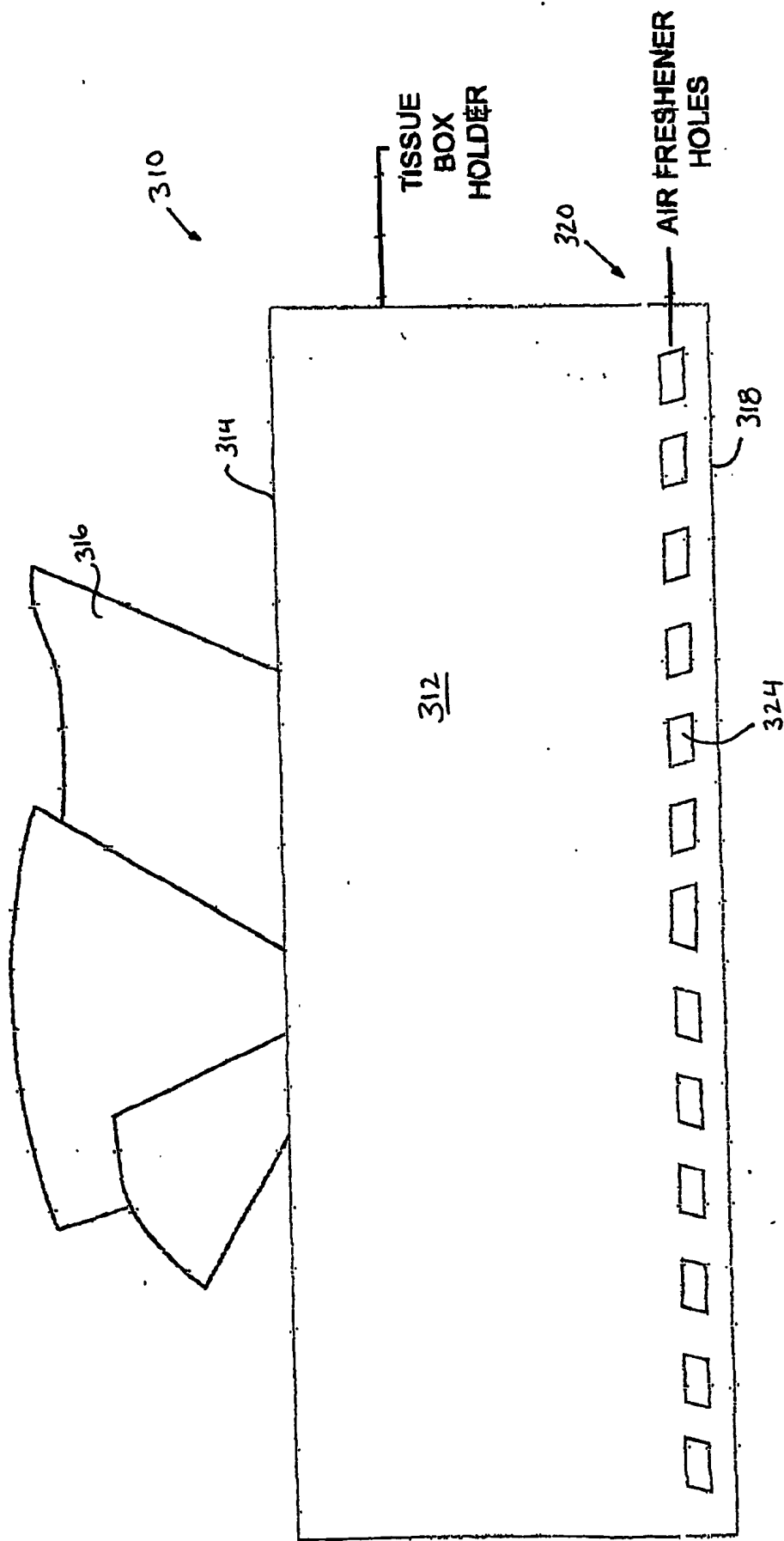


FIG. 3.

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